

ORDINANCE NO. 98-51

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING BOND REQUIREMENTS FOR SPECIFIED COUNTY OFFICERS PURSUANT TO CHAPTER 98-34, LAWS OF FLORIDA; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 98-34, Laws of Florida, eliminating or revising bond requirements for certain public officials, including specified County officers; and

WHEREAS, Chapter 98-34 eliminated the statutory bond requirements for specified County officers and provided that the Board of County Commissioners (the "Board") may establish bond requirements for specified County officers and must require bonds from County Commissioners; and

WHEREAS, Chapter 98-34 provides that any bond required of specified County officers be established by ordinance of the Board; and

WHEREAS, in establishing the amount of any required bond, the amount of money or property likely to be in custody of the specified County officer at one time may be considered by the Board.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Title.

This Ordinance shall be known as the "County Officer Bond Ordinance".

Section 2. Bond of Clerk of the Circuit Court.

The Palm Beach County Clerk of the Circuit Court shall be required to give a bond in the sum of \$50,0000 conditioned upon the faithful discharge of the duties of office.

1                   Section 3. Bond of Sheriff and Deputy Sheriff.

2                   The Palm Beach County Sheriff shall be required to give  
3 a bond in the sum of \$25,000 conditioned for the faithful  
4 performance of the duties of office.

5                   Each appointed Deputy Sheriff shall be required to give a bond  
6 in the sum of \$1,000 conditioned for the faithful performance of  
7 the duties of office. In the alternative, a blanket bond in the  
8 sum of \$1,000 conditioned for the faithful performance of the  
9 duties of office of all appointed Deputy Sheriffs is acceptable.

10                   Section 4. Bond of Supervisor of Elections.

11                   The Palm Beach County Supervisor of Elections shall be  
12 required to give a bond in the sum of \$5,000 conditioned for the  
13 faithful performance of the duties of office.

14                   Section 5. Bond of Tax Collector.

15                   The Palm Beach County Tax Collector shall be required to  
16 give a bond in the sum of \$100,000 conditioned for the faithful  
17 performance of the duties of office, and specifically conditioned  
18 for the Tax Collector's accounting duly and faithfully for all  
19 taxes collected.

20                   Section 6. Bond of Property Appraiser.

21                   The Palm Beach County Property Appraiser shall be  
22 required to give a bond in the sum of \$5,000 conditioned for the  
23 faithful performance of the duties of office.

24                   Section 7. Bond of County Commissioners.

25                   Each Palm Beach County Commissioner, whether elected or  
26 appointed, must give a bond in the sum of \$2,000 conditioned for  
27 the faithful performance of the duties of office.

1                   Section 8. Approval of Form and Surety of Bonds of  
2                   County Officers; Delegation of Authority.

3                   All bonds of County officers required by this Ordinance  
4                   must be approved by the Board. Approval of the form and surety of  
5                   any such bonds is hereby delegated by the Board to the County  
6                   Administrator or designee, with the concurrence of the County  
7                   Attorney in such approval.

8                   Section 9. Filing of Bonds of County Officers.

9                   All bonds of County officers required by this Ordinance  
10                  must be filed with the Clerk of the Circuit Court promptly upon  
11                  execution.

12                  Section 10. Examination of Sufficiency of Bonds of  
13                  County Officers.

14                  At its regular meetings in January and June of each year  
15                  beginning January, 1999, the Board shall examine carefully the  
16                  sufficiency of all bonds required of County officers. If the  
17                  Board has reason to believe that the sufficiency of any such bond  
18                  has become impaired, the Board must at once require that the County  
19                  officer to execute and file with the Clerk of the Circuit Court a  
20                  new bond for the same amount and under the same conditions as the  
21                  former bond.

22                  Section 11. Applicability.

23                  This Ordinance is applicable countywide. This Ordinance  
24                  shall not affect any currently existing bonds of County officers.

25                  Section 12. Repeal of Laws in Conflict.

26                  All local laws and ordinances in conflict with any  
27                  provisions of this Ordinance are hereby repealed to the extent of  
28                  such conflict.



1                    Section 13. Severability.

2                    If any section, paragraph, sentence, clause, phrase, or  
3 word of this Ordinance is for any reason held by the Court to be  
4 unconstitutional, inoperative, or void, such holding shall not  
5 affect the remainder of this Ordinance.

6                    Section 14. Inclusion in The Code of Laws And Ordinances.

7                    The provisions of this Ordinance shall become and be made  
8 a part of the Code of Laws and Ordinances of Palm Beach County,  
9 Florida. The sections of this Ordinance may be renumbered or  
10 relettered to accomplish such, and the word "ordinance" may be  
11 changed to "section", "article", or other appropriate word.

12                   SECTION 15. Effective Date.

13                   The provisions of this Ordinance shall become effective  
14 upon filing with the Department of State.

15                   APPROVED and ADOPTED by the Board of County Commissioners  
16 of Palm Beach County, Florida, on this the 20th day of  
17 October, 1998.

18                   PALM BEACH COUNTY, FLORIDA, BY ITS  
19 DOROTHY H. WILKEN, CLERK      BOARD OF COUNTY COMMISSIONERS  
Board of County Commissioners  
By: [Signature]      DEPUTY CLERK      By: [Signature]      Chairman  
20  
21  
22      APPROVED AS TO FORM AND  
23      LEGAL SUFFICIENCY  
24 By: [Signature]  
25      County Attorney

26                   EFFECTIVE DATE: Filed with the Department of State on the 28th  
27 day of OCTOBER, 1998, at N/A .m.

28                   C:\COMMON\ATTY\HDATA\ENCL\FIN\FINANCE\FIN98\ELCOP15.ORD

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 10/20/98  
DATED at West Palm Beach, FL on 11/6/98  
DOROTHY H. WILKEN, Clerk  
By: [Signature] D.C.

# FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

**Instructions:** Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

**Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.**

COUNTY: ( Palm Beach ) COUNTY ORDINANCE # ( 98-51 )  
(e.g., 93 - 001)

PRIMARY KEYFIELD  
DESCRIPTOR: ( Bonds )

SECONDARY KEYFIELD  
DESCRIPTOR: ( Officials )

OTHER KEYFIELD  
DESCRIPTOR: ( Elections )

ORDINANCE DESCRIPTION: ( bond requirements specified county officers )  
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: ( \_\_\_\_\_ ); AMENDMENT # 2: ( \_\_\_\_\_ ).

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: ( \_\_\_\_\_ ); REPEAL # 3: ( \_\_\_\_\_ );  
REPEAL # 2: ( \_\_\_\_\_ ); REPEAL # 4: ( \_\_\_\_\_ );

(Others repealed:list all that apply): \_\_\_\_\_

(FOR OFFICE USE ONLY):		COUNTY CODE NUMBER: ( _ _ )
KEYFIELD 1 CODE: ( _ _ _ _ _ )	KEYFIELD 2 CODE: ( _ _ _ _ _ )	
KEYFIELD 3 CODE: ( _ _ _ _ _ )		Rev. 6/29/93